

# CITY OF ROSEBERG

## SPECIAL COUNCIL MEETING MINUTES

On this the 22nd day of June, 2015, the City Council of the City of Rosenberg, Fort Bend County, Texas, met in a Special Session, in the Rosenberg City Hall Council Chamber, located at 2110 4th Street, Rosenberg, Texas.

### PRESENT

Cynthia McConathy	Mayor
William Benton	Councilor at Large, Position 1
Amanda Barta	Councilor at Large, Position 2
Jimmie J. Pena	Councilor, District 1
Susan Euton	Councilor, District 2
Lynn Moses	Councilor, District 4

### ABSENT

Dwayne Grigar	Councilor, District 3
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### STAFF PRESENT

Robert Gracia	City Manager
Scott M. Tschirhart	City Attorney
Linda Cernosek	City Secretary
John Maresh	Assistant City Manager of Public Services
Jeff Trinker	Executive Director of Support Services
Joyce Vasut	Executive Director of Administrative Services
Travis Tanner	Executive Director of Community Development
Charles Kalkomey	City Engineer
Tracie Dunn	Assistant Police Chief
J.T. Rodgers	Police Officer
Darrell Himly	Assistant Fire Chief
Justin Jurek	Fire Marshal
Angela Fritz	Executive Director of Information Services
Darren McCarthy	Parks and Recreation Director
Randall Malik	Economic Development Director
James Lewis	Director of Technology
Kaye Supak	Executive Assistant

**The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by Title 5, Chapter 551, of the Texas Government Code.**

### CALL TO ORDER.

Mayor McConathy called the meeting to order at 6:30 p.m.

### GENERAL COMMENTS FROM THE AUDIENCE.

*Citizens who desire to address the City Council with comments of a general nature will be received at this time. Each speaker is limited to three (3) minutes. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.*

### COMMENTS FROM THE AUDIENCE FOR CONSENT AND REGULAR AGENDA ITEMS.

*Citizens who desire to address the City Council with regard to matters on the Consent Agenda or Regular Agenda will be received at the time the item is considered. Each speaker is limited to three (3) minutes. Comments or discussion by the City Council Members will only be made at the time the agenda item is scheduled for consideration. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.*



## CONSENT AGENDA

### 1. **REVIEW OF CONSENT AGENDA.**

*All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a City Council Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.*

- A. **CONSIDERATION OF AND ACTION ON SPECIAL MEETING MINUTES FOR MAY 26, 2015, WORKSHOP MEETING MINUTES FOR MAY 26, 2015, SPECIAL MEETING MINUTES FOR JUNE 02, 2015, AND REGULAR MEETING MINUTES FOR JUNE 02, 2015.**
- B. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1986, A RESOLUTION ACKNOWLEDGING AND ACCEPTING THE ACQUISITION BY UTILITY EASEMENTS OF CERTAIN PROPERTY GENERALLY LOCATED ALONG FM 2977 (MINONITE ROAD) BETWEEN BRYAN ROAD AND LARK LANE, ASSOCIATED WITH THE INSTALLATION OF UTILITY LINES NECESSARY TO ACCOMMODATE THE FM 2977 16-INCH WATERLINE LOOP PROJECT AND FUTURE WATER AND SEWER UTILITIES AS FOLLOWS:**
  - A. **0.18 ACRE TRACT OF LAND IN THE ROBERT E. HANDY SURVEY, ABSTRACT 187, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, BEING OVER, THROUGH, AND ACROSS RESERVE "B" OF BLUME ADDITION, ACCORDING TO MAP OR PLAT THEREOF RECORDED UNDER SLIDE NUMBER 1143A, PLAT RECORDS, FORT BEND COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, BASED UPON GPS OBSERVATIONS;**
  - B. **0.05 ACRE TRACT OF LAND, A 15-FOOT WIDE STRIP OF LAND IN THE ROBERT E. HANDY SURVEY, ABSTRACT 187, FORT BEND COUNTY, TEXAS, BEING OVER, THROUGH, AND ACROSS LOT 14 OF BLUME ADDITION ACCORDING TO MAP OR PLAT THEREOF RECORDED UNDER SLIDE NUMBER 1143A, PLAT RECORDS, FORT BEND COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, BASED UPON GPS OBSERVATIONS;**
  - C. **0.07 ACRE TRACT OF LAND, A 20-FOOT WIDE STRIP OF LAND IN THE ROBERT E. HANDY SURVEY, ABSTRACT 187, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, BEING OVER, THROUGH, AND ACROSS THAT CERTAIN CALLED 1.0 ACRE TRACT RECORDED IN VOLUME 2641, PAGE 899, OFFICIAL RECORDS, FORT BEND COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, BASED UPON GPS OBSERVATIONS; AND,**
  - D. **0.64 ACRE TRACT OF LAND, A 20-FOOT WIDE STRIP OF LAND IN THE ROBERT E. HANDY SURVEY, ABSTRACT 187, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, BEING OVER, THROUGH, AND ACROSS A PORTION OF A CALLED 93.890 ACRE TRACT RECORDED UNDER COUNTY CLERK'S FILE NUMBER 2008131989, OFFICIAL PUBLIC RECORDS, FORT BEND COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, BASED UPON GPS OBSERVATIONS.**

**Executive Summary:** In order to construct the FM 2977 16-inch Waterline Loop Project, it was necessary to acquire utility easements along the water line route. The water line project will begin at the site of the new elevated water tank being constructed directly behind Fire Station No. 3 and will follow the road right-of-way along Lark Lane through the Blume Addition. The water line will turn and enter the acquired easements located along a property line between Lark Lane and FM 2977, where it will again turn and continue along and adjacent to the FM 2977 right-of-way to Bryan Road.

Staff has successfully completed the negotiation and has acquired said Utility Easements. Accordingly, staff recommends approval of Resolution No. R-1986 providing for acceptance of said Utility Easements generally located along FM 2977 (Minonite Road) between Bryan Road and Lark Lane, associated with the installation of utility lines necessary to accommodate the FM 2977 16-Inch Waterline Loop Project and future water and sewer utilities.



- C. **CONSIDERATION OF AND ACTION ON A FINAL REPLAT OF MACER RESERVES, BEING A PARTIAL REPLAT OF RESERVE "C" OF KWIKROSE COMMERCIAL PARK (SLIDE NO. 1436/A; PLAT RECORDS OF FORT BEND COUNTY, TEXAS) TOGETHER WITH A PORTION OF A CALL 5.00 ACRE TRACT OF LAND (FORT BEND COUNTY CLERK'S FILE NO. 2007074320), BOTH BEING IN THE HENRY SCOTT SURVEY, ABSTRACT NO. 83, AND BEING A REPLAT OF RESERVE "C" OF DEEDCO SUBDIVISION NO. 19 (SLIDE NO. 1357/A; PLAT RECORDS OF FORT BEND COUNTY, TEXAS) TOGETHER WITH A CALL 0.216 ACRE TRACT OF LAND (FORT BEND COUNTY CLERK'S FILE NO. 2003173704), BOTH BEING IN THE J.D. VERMILLION SURVEY, ABSTRACT NO. 341, ALL INCLUSIVE BEING IN THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 0 LOTS, 2 RESERVES, 1 BLOCK.**

**Executive Summary:** The Final Plat of Macer Reserves consists of 7.885 acres and two (2) nonresidential reserves. It is a partial replat of Kwikrose Commercial Park and Deedco Subdivision No. 19. The Plat is located on the west side of State Highway 36, north of its intersection with Rice Street, and in the West Fort Bend Management District.

The Plat proposes to subdivide the 7.885 acres into two (2) reserves to accommodate future development of Reserve "A" (Reserve "B" has existing improvements). There are no issues with the proposed subdivision that conflict with City ordinances. Newly created reserves in the proposed subdivision will be subject to the West Fort Bend Management District's development standards as noted on the Plat.

A public hearing was held and the Planning Commission approved the Preliminary Plat of this subdivision on December 17, 2014. The proposed Final Plat, being consistent with the approved Preliminary Plat and in conformance with City ordinances, was recommended by the Commission for approval by City Council on May 20, 2015. That said, staff recommends approval of the Final Plat of Macer Reserves.

- D. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF IRBY COBB BOULEVARD STREET DEDICATION NO. TWO, A SUBDIVISION OF 3.451 ACRES CONTAINING 1,930 L.F. OF R.O.W., OUT OF THE EUGENE WHEAT SURVEY, A-396, AND THE WILEY MARTIN LEAGUE, A-56, FORT BEND COUNTY, TEXAS.**

**Executive Summary:** The Final Plat of Irby Cobb Boulevard Street Dedication No. Two is a proposed right-of-way dedication plat consisting of 3.451 acres. It is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins Walnut Creek Sections Seven and Eleven and will connect Irby Cobb Boulevard to its future intersection with Benton Road.

The Final Plat is consistent with the street layout per the approved Land Plan, will provide access further east into the development, and will facilitate an eventual second point of access into the development from Benton Road. The proposed Final Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152.

The Planning Commission (Commission) approved the Preliminary Plat on February 26, 2014, and an extension of that approval was granted by the Commission on September 17, 2014. The Commission recommended approval to City Council of the Final Plat on October 15, 2014. That said, staff recommends approval of the Final Plat of Irby Cobb Boulevard Street Dedication No. Two.

- E. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF WALNUT CREEK SECTION ELEVEN, A SUBDIVISION OF 8.764 ACRES CONTAINING 27 LOTS, 2 BLOCKS AND 1 RESTRICTED RESERVE OUT OF THE EUGENE WHEAT SURVEY, A-396, AND THE WILEY MARTIN LEAGUE, A-56, FORT BEND COUNTY, TEXAS.**

**Executive Summary:** The Final Plat of Walnut Creek Section Eleven is a proposed subdivision consisting of 8.764 acres and twenty-seven (27) residential lots located off of Irby Cobb Boulevard in the north central part of the Walnut Creek Development. The proposed Plat is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins Walnut Creek Section Seven to the immediate west.



The subdivision generally consists of sixty-foot (60') lots in accordance with the approved Land Plan for Walnut Creek. Four (4) of the lots are identified as being less than 60' lots due to being less than fifty feet (50') as measured at the right-of-way. All lots are a minimum of 60' as measured at the front building line. Additionally, the subdivision contains a 1.866-acre landscape reserve abutting the future Irby Cobb right-of-way.

The proposed Final Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152. The Planning Commission (Commission) approved the Preliminary Plat on February 26, 2014, and an extension of that approval was granted by the Commission on September 17, 2014. The Commission recommended approval to City Council of the Final Plat on October 15, 2014. That said, staff recommends approval of the Final Plat of Walnut Creek Section Eleven.

**Action:** Councilor Pena made a motion, seconded by Councilor Euton, to approve Consent Agenda Items A, B, C, D, and E. The motion carried by a unanimous vote of those present.

### **REGULAR AGENDA**

2. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1987, A RESOLUTION APPROVING CONTINUING DISCLOSURE UNDERTAKING IN CONNECTION WITH THE ISSUANCE OF BONDS BY THE BRAZOSPORT WATER AUTHORITY.**

**Executive Summary:** The City of Rosenberg and Brazosport Water Authority (BWA) previously executed a Water Supply Agreement (Agreement) as required by the amended Groundwater Reduction Plan. The Agreement provides a mechanism allowing for compliance with the Fort Bend Subsidence District (District) unfunded mandate to reduce groundwater withdrawals by 30% beginning October 01, 2016, by constructing a pipeline supplying treated surface water to the City.

This Agreement also provides that BWA will issue bonds to finance the delivery system to provide water to Rosenberg. BWA's bond issues will be payable in part from payments received from the City of Rosenberg. Therefore, in order for BWA to comply with SEC rules and regulations regarding the issuance of bonds, the City agrees to also disclose certain financial information as required. Since the City already provides such information on a regular basis for our own debt, this request will have no impact on our operations and processes.

Resolution No. R-1987 has been reviewed by Special Counsel, Pat Lindner, Bond Counsel Marcus Deitz and approved as to form by the City Attorney. Staff recommends approval of Resolution No. R-1987 as presented.

**Key Discussion Points:** Joyce Vasut, Executive Director of Administrative Services, read the Executive Summary.

**Action:** Councilor Euton made a motion, seconded by Councilor Benton, to approve Resolution No. R-1987, a Resolution approving continuing disclosure undertaking in connection with the issuance of bonds by the Brazosport Water Authority. The motion carried by a unanimous vote of those present.

3. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1988, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, BUDGET AMENDMENT 15-11, IN THE AMOUNT OF \$552,000 FOR INFORMATION TECHNOLOGY LICENSING AND SERVER, CERTAIN PIECES OF EQUIPMENT AND ELECTRICAL IMPROVEMENTS FOR WASTEWATER TREATMENT PLANT NO. 1-A.**

**Executive Summary:** City staff has been working diligently to prioritize the needs as submitted for the FY2016 budget. During this assessment process, staff has identified several items that require immediate attention due to non-compliance, safety concerns and anticipated costly maintenance and repair expense.

Budget Amendment 15-11, in the amount of \$552,000 includes the following items:

1. Information Technology has determined that the City is not currently compliant with



Microsoft requirements for licensing. For a cost of \$93,200, the City could purchase the licensing and servers necessary to bring the City into compliance.

2. Several pieces of equipment were ranked extremely high due to the safety and maintenance concerns. These requests included an asphalt patch truck for \$119,000, and a bucket truck in the amount of \$97,000. An additional request in the amount of \$20,000 is for a field maintainer requested by the Parks and Recreation Department. This request is one of the items that was not funded in the FY2015 budget. The final piece of equipment is a motor grader for \$152,000. The current motor grader is a 1999 model and has had numerous break downs that are very costly and difficult to fix due to the age of the equipment.
3. The current electricity service drop for Wastewater Treatment Plant No. 1-A (WWTP No. 1-A) is leaning to the point that it is in danger of falling over. This request includes repairing and replacing the incoming electrical service drop to WWTP No. 1-A by building a new service drop and installing a manual transfer switch to quickly connect an alternative power supply. The estimated cost is \$70,800.

Budget Requests Forms were included in the agenda packet. All of these items can be funded from General Fund Balance (Items 1 and 2) and Water/Wastewater Fund Retained Earnings (Item 3). Budget Amendment 15-11 is included as Exhibit "A" to Resolution No. R-1988. Staff recommends approval of Resolution No. R-1988 as presented.

**Key Discussion Points:**

- Joyce Vasut read the Executive Summary and explained that the current year general fund balance is \$12.1M.
- James Lewis, Director of Technology, stated that an internal assessment determined the lapse in current licensing, and the \$93,200 would be a one-time purchase per Client Access License. He clarified that we do not have as many licenses as we have users.
- John Maresh, Assistant City Manager of Public Services, explained the current condition of the vehicles in question and their potential liability.
- Darren McCarthy, Parks and Recreation Director, stated that the field maintainer would be used primarily on the softball field, which is comprised of dirt and clay and requires special equipment.

**Action:** Councilor Euton made a motion, seconded by Councilor Moses, to approve Resolution No. R-1988, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-11, in the amount of \$552,000 for information technology licensing and server, certain pieces of equipment and electrical improvements for Wastewater Treatment Plant No. 1-A. The motion carried by a unanimous vote of those present.

4. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1992, A RESOLUTION REGARDING FUNDING FOR THE OVERSIZING OF A WATER LINE FOR THE TEXAS STATE TECHNICAL COLLEGE (TSTC) FORT BEND CAMPUS IN AN AMOUNT NOT TO EXCEED \$100,000.**

**Executive Summary:** On May 26, 2015, the City of Rosenberg executed a Development Agreement (Agreement) with the Henderson-Wessendorff Foundation. Further, the Agreement provides the City with the option to require certain utility lines to be oversized to serve land outside the tract, provided that the City bears the costs of the oversizing. This Agenda item provides City Council with the opportunity to discuss proposed funding necessary to oversize a water line to support additional development around the Texas State Technical College (TSTC) Campus.

The City will be provided oversizing costs and then make the election whether to require the oversizing. Upon completion of the line, the City will credit applicable impact fees owed by the property owner against the oversizing costs and pay the property owner the difference up to a maximum amount of \$100,000. Under current consideration is the oversizing of a water line from a 12-inch line to serve only this property to a 16-inch line that will ultimately be needed to support growth and development in this general area of the City and as a part of the City's Capital Improvements Program (CIP) to meet the Fort Bend Subsidence District mandate to reduce groundwater withdrawals by 60% in 2025.



TSTC plans to receive bids on June 15, 2015, and the City will have to commit to the oversizing and provide a funding source no later than the June 16, 2015 City Council Meeting. If the City elects not to oversize the line at this time, the property owner will be authorized to build the line in a size only to serve the property. Additional water lines or the replacement of this line with a larger one would then have to be funded at such time development occurs in this area of the City. If the City elects to require the line under consideration to be oversized, the City will pay the oversizing costs minus any applicable impact fees up to \$100,000 upon completion of the line. A budget adjustment will also be required.

Staff recognizes the long-term benefits oversizing will provide to future development of this area, and further recommends approval of Resolution No. R-1992, a Resolution regarding funding for the oversizing of a water line for the Texas State Technical College (TSTC) Fort Bend Campus in an amount not to exceed \$100,000.

**Key Discussion Points:** John Maresh, Assistant City Manager, read the Executive Summary and explained that, by spending this money now, we will be saving a tremendous amount of money in the future by not having to expand the line after construction is completed. The money will be coming from the subsidence fund.

**Action:** Councilor Barta made a motion, seconded by Councilor Benton, to approve Resolution No. R-1992, a Resolution regarding funding for the oversizing of a water line for the Texas State Technical College (TSTC) Fort Bend Campus in an amount not to exceed \$100,000. The motion carried by a unanimous vote of those present.

5. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1973, A RESOLUTION AUTHORIZING THE PARKS AND RECREATION DEPARTMENT TO SUBMIT AN APPLICATION FOR THE 100 TREES FOR 100 CITIES GRANT PROGRAM.**

**Executive Summary:** On May 28, 2015, at the regularly scheduled Parks and Recreation Board (Board) meeting, Darren McCarthy informed the Board of a grant program with the Texas A&M Forest Service that offers 100 cities to be given 100 tree seedlings. The Board unanimously approved the request to apply for the trees. If awarded, the trees would be placed in and around Community Park.

Staff recommends approval of Resolution No. R-1973, a Resolution authorizing application, attached as Exhibit "A", to the 100 Trees for 100 Cities grant program.

**Key Discussion Points:** Darren McCarthy, Parks and Recreation Director, read the Executive Summary and indicated that Community Park is barren and in need of shade in the specific areas where he intends to plant the trees if awarded.

**Action:** Councilor Benton made a motion, seconded by Councilor Euton, to approve Resolution No. R-1973, a Resolution authorizing the Parks and Recreation Department to submit an application for the 100 Trees for 100 Cities grant program. The motion carried by a unanimous vote of those present.

6. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1980, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, A CONTRACT EXTENSION FOR GROUNDS MAINTENANCE SERVICES, BY AND BETWEEN THE CITY AND LANDSCAPE PROFESSIONALS OF TEXAS, IN THE AMOUNT OF \$64,362 FOR A TERM OF ONE (1) YEAR, TERMINATING ON JUNE 04, 2016.**

**Executive Summary:** On May 20, 2014, City Council approved Resolution No. R-1790, which awarded Bid No. 2014-02 for Grounds Maintenance Services to Landscape Professionals of Texas, for a (1) year term effective June 01, 2014, through June 02, 2015. The services include mowing at the following City locations: Rosenberg City Hall, Rosenberg Police Department, Rosenberg Civic Center, Rosenberg Fire Department Administration Building, Rosenberg Fire Departments No. 1, No. 2 and No. 3, the Rosenberg Cemetery, Water Plants, and Lift Stations.

Landscape Professionals of Texas continues to perform satisfactorily and staff recommends



extending the Contract for one (1) additional year. Resolution No. R-1980 would authorize a Contract Extension, attached as Exhibit "A", with Landscape Professionals of Texas.

**Key Discussion Points:** Darren McCarthy read the Executive Summary and assured Council that the company has been dependable and has provided adequate service to date.

**Action:** Councilor Benton made a motion, seconded by Councilor Barta, to approve Resolution No. R-1980, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Contract Extension for Grounds Maintenance Services, by and between the City and Landscape Professionals of Texas, in the amount of \$64,362 for a term of one (1) year, terminating on June 04, 2016. The motion carried by a unanimous vote of those present.

7. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1985, A RESOLUTION AUTHORIZING ACCEPTANCE OF A DONATION OF PLAYGROUND EQUIPMENT FOR COMMUNITY PARK FROM FORT BEND CARES; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY, ANY NECESSARY DOCUMENTATION TO FACILITATE THE PURCHASE AND INSTALLATION OF SAME.**

**Executive Summary:** On May 28, 2015, at the regularly scheduled Parks and Recreation Board (Board) meeting, the non-profit group, Fort Bend Cares, proposed plans to add playground equipment to Community Park. The proposal consisted of a playground, shade structure, benches, and amenities. Fort Bend Cares also proposed to level the soccer field. The playground would target children ages six through twelve. After some brief discussion, the Board unanimously recommended accepting the donation of playground equipment to Community Park.

Staff and the Board recommend approval of Resolution No. R-1985 as presented.

**Key Discussion Points:** Darren McCarthy read the Executive Summary and introduced Angie Wierzbicki and Patty Ward from Fort Bend cares, who explained their organization's mission and intent. Mayor and Council thanked them for their investment in our community.

**Action:** Councilor Benton made a motion, seconded by Councilor Barta, to approve Resolution No. R-1985, a Resolution authorizing acceptance of a donation of playground equipment for Community Park from Fort Bend Cares; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, any necessary documentation to facilitate the purchase and installation of same. The motion carried by a unanimous vote of those present.

8. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1981, A RESOLUTION REGARDING THE PUBLIC PURPOSE AND BENEFIT RELATED TO THE DISTRIBUTION OF CITY-PURCHASED MOSQUITO LARVICIDE TO CITY OF ROSENBERG RESIDENTS.**

**Executive Summary:** Due to the unusually wet weather and resulting standing water, the City has experienced a significantly increased number of mosquitoes this year. While spraying has been increased to three (3) times per week, this does not address standing water that is in backyards or in areas further away from the street. Staff proposes the purchase of mosquito larvicide (dunks) for distribution to City residents.

As this is a new program, tweaks will invariably be made, but at this time staff recommends the dunk distribution occur in the following manner:

- Residents may come to City Hall to request larvicide from the Citizen Relations Coordinator.
- The Citizen Relations Coordinator will verify the City residency of requestors using a valid form of identification and a street list provided by the GIS division.
- The Citizen Relations Coordinator will record the name, phone number and address of the individual requesting the larvicide. This information will be used to track the geographic distribution of the larvicide as well as to follow-up with residents, if necessary.
- The Citizen Relations Coordinator will provide up to two (2) dunks per address. Dunks



can be broken into halves and quarters to treat smaller areas of standing water.

Staff anticipates an initial order of approximately 500 dunks, with the possibility of ordering additional dunks depending on resident demand. Dunks can be purchased online for about \$1.02 per dunk, and the budgetary line item for mosquito control has sufficient funds to cover the expense of the dunks for the time being.

In order to distribute mosquito dunks to City residents, the City Council must determine that there is a public purpose or benefit in doing so. Staff recommends approval of Resolution No. R-1981, thus declaring a public purpose or benefit and authorizing the distribution of mosquito dunks to the residents of the City.

**Key Discussion Points:** Jeff Trinker, Executive Director of Support Services, read the Executive Summary, assured Council that the dunks should be effective in alleviating mosquitoes in areas with standing water, and confirmed that the spraying trucks will continue treating the City as well.

**Action:** Councilor Benton made a motion, seconded by Councilor Moses, to approve Resolution No. R-1981, a Resolution regarding the public purpose and benefit related to the distribution of City-purchased mosquito larvicide to City of Rosenberg residents. The motion carried by a unanimous vote of those present.

9. **REVIEW AND DISCUSS THE REINSTITUTION OF THE MONTHLY CITY NEWSLETTER, AND TAKE ACTION AS NECESSARY.**

**Executive Summary:** This item has been added to offer City Council the opportunity to discuss and/or take action regarding the reinstitution of a monthly City newsletter.

**Key Discussion Points:**

- William Benton, Councilor, At Large Position One, stated that he prefers the monthly newsletter over the quarterly newsletter because, by the time the quarterly newsletter is received, most of the information is outdated or no longer relevant.
- Angela Fritz, Executive Director of Information Services, gave a presentation with updated cost analysis. She indicated that the quarterly newsletter was distributed to about twice as many people because it was not only sent out in the outgoing water bills, but to every deliverable address in the City. The actual annual cost of a quarterly-distributed newsletter would be \$32,000, 25% of which would be contributed by the Rosenberg Development Corporation.
- Councilors Benton, Barta, and Moses indicated that they believe the information in a monthly-distributed newsletter is more timely and relevant.

**Action:** Councilor Benton made a motion, seconded by Councilor Moses, to reinstitute the monthly City newsletter program. **The motion carried by a vote of 5 to 1 as follows: Yeses: Mayor McConathy, Councilors Benton, Barta, Pena, and Moses. No: Councilor Euton.**

10. **HOLD EXECUTIVE SESSION TO CONSULT WITH ATTORNEY TO RECEIVE LEGAL ADVICE ON LEGAL MATTERS PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE; TO CONSULT WITH CITY ATTORNEY ON PENDING LITIGATION REGARDING TEXAS DEPARTMENT OF TRANSPORTATION V. ROSENBERG EMINENT DOMAIN PROCEEDINGS PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE; TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY PURSUANT TO SECTION 551.072 OF THE TEXAS GOVERNMENT CODE; AND, TO DELIBERATE PERSONNEL MATTERS REGARDING THE EMPLOYMENT, EVALUATION AND DUTIES OF THE CITY MANAGER PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE.**

**Action:** Councilor Benton made a motion, seconded by Councilor Barta, to adjourn to Executive Session. The motion carried by a unanimous vote of those present.

An Executive Session was held to consult with attorney to receive legal advice on legal matters pursuant to Section 551.071 of the Texas Government Code; to consult with City Attorney on pending litigation regarding Texas Department of Transportation v. Rosenberg eminent domain proceedings pursuant to Section 551.071 of the Texas Government Code; to



deliberate the purchase, exchange, lease, or value of real property pursuant to Section 551.072 of the Texas Government Code; and, to deliberate personnel matters regarding the employment, evaluation and duties of the City Manager pursuant to Section 551.074 of the Texas Government Code.

**11. ADJOURN EXECUTIVE SESSION, RECONVENE INTO REGULAR SESSION AND TAKE ACTION AS NECESSARY AS A RESULT OF EXECUTIVE SESSION.**

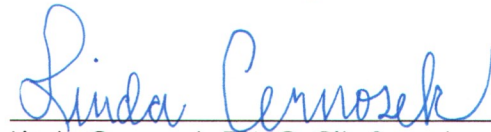
Mayor McConathy adjourned the Executive Session and reconvened into Regular Session at 8:14 p.m.

**12. ANNOUNCEMENTS.**

- Lisa M. Wallingford will be sworn in as City Councilor-Elect, District 3, on Tuesday, June 23, at 6:00 p.m., with a reception following the oath of office.
- The City of Rosenberg will host an informational community meeting on Monday, June 29, at Jackson Elementary School beginning at 7:00 p.m. City staff will present general information on major ongoing projects, and representatives from Fort Bend County will be on hand to provide information on public transit.

**13. ADJOURNMENT.**

There being no further business, Mayor McConathy adjourned the meeting at 8:15 p.m.

  
Linda Cernosek, TRMC, City Secretary